

SENATE CHAMBER,

AUSTIN, June 13, 1870.

Senate met pursuant to adjournment. President Don Campbell presiding. Roll called. Quorum present.

Absent--Senator Clark.

Prayer by the Chaplain. Journal of Saturday read and approved.

PETITIONS AND MEMORIALS.

By Senator Dohoney, petition of citizens of Lamar county asking that the sale of intoxicating liquors be prohibited within four miles of Shelton Male and Female Academy.

Read and referred to Committee on Education.

REPORTS FROM STANDING COMMITTEES.

Report of Committee on Judiciary:

COMMITTEE ROOM,
June 13, 1870.

HON. DON CAMPBELL,

President of Senate:

Your Committee on Judiciary beg leave to report the accompanying bill, entitled "An Act prescribing the times of holding the district courts in the several judicial districts of the State," and recommend its passage.

Respectfully submitted,

M. PRIEST,
Chairman of Committee.

On motion of Senator Priest the rules were suspended to consider the report and bill read first time.

And on further motion the report was received and bill read second time and passed to engrossment.

Pending reading of bill message from the House by Chief Clerk, enrolled House bill No. 88, "An Act to provide for the protection of the frontier of the State of Texas," whereupon it was signed by the President in open session and returned to the House.

The question recurring on the bill reported by the Judiciary Committee, on motion of Senator Mills the rules were suspended and bill made the special order for Wednesday at 10½ o'clock, and three hundred copies ordered to be printed.

Report of Committee on Internal Improvements:

COMMITTEE ROOM,
June 13, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Internal Improvements, to whom was referred Senate Bill No. 191, entitled "An Act to incorporate the North Texas Railroad Company," have had the same under consideration, and instruct me to report the same back with the request it do pass.

WEBSTER FLANAGAN,
Chairman.

Laid over under the rules.

Report of Committee on Engrossment:

To the Hon. DON CAMPBELL,

President of the Senate:

Your Committee on Engrossed Bills, having carefully examined and compared Senate Bill No. 55, to organize and define the powers of the Criminal District Court in and for the counties of Galveston and Harris, and to prescribe the duties thereof; also, Senate Bill No. 81, to legalize an ordinance adopted by the Convention on the 12th day of December, 1868, authorizing a special tax to be levied for the Waco Tap Railroad Company in Falls and McLennan counties; also, Senate Bill No. 99, to authorize the incorporated towns and cities of the State of Texas to elect municipal officers, and Senate Bill No. 188, granting certain real estate to the city of Austin, find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

BILLS AND RESOLUTIONS.

By Senator Flanagan, "An Act to incorporate Southern Trans-Continental Railway Company."

Read first time and referred to Committee on Internal Improvements.

By Senator Priest, a bill to be entitled "An Act to authorize county courts to levy a road tax, and to improve roads and bridges."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Alford, "An Act to regulate the manner of paying county drafts and other evidence of county indebtedness, and to require counties to pay interest on unpaid drafts."

Read first time and referred to Committee on Judiciary.

UNFINISHED BUSINESS.

Unfinished business of Saturday :

Report of Internal Improvements Committee on Senate Bill No. 11 and substitute, "An Act for the relief of the Eastern Texas Railroad."

Senator Flanagan moved the adoption of the substitute. Carried.

Senator Priest offered the following amendment :

Amend by adding, at the end of section one : "*Provided, That* nothing in this act shall be so construed as to revive any rights to land heretofore granted to said railroad company and forfeited by reason of non-compliance with the terms and condition of the grant, said lands being, in the Constitution, set apart for the benefit of the School Fund."

Amendment lost.

Senator Flanagan moved suspension of rules.

Rules suspended, and bill read second time and ordered to be engrossed.

And on motion of Senator Parsons the rules were suspended and bill read third time.

Yeas and nays called for on final passage. Result as follows:

Yeas—Alford, Baker, Bell, Bowers, Broughton, Dohoney, Cole, Douglas, Evans, Flanagan, Ford, Latimer, Parsons, Pettit, Pickett, Pridgen, Pyle, Rawson, Ruby, Shannon—20.

Nays—Fountain, Gaines, Hall, Hertzberg, Mills, Priest, Saylor—7.

Bill passed.

Under direction of the President, the Secretary carried to the House Senate bill No. 81, "An Act to Legalize an Ordinance Adopted by the Convention on the Twelfth Day of December, 1868, Authorizing a Special Tax to be Levied for the Waco Tap Railroad Company in Falls and McLennan Counties."

Also, Senate bill No. 55, "An Act to Organize and Define the Powers of the Criminal District Court in and for the Counties of Galveston and Harris, and to Prescribe the Duties Thereof."

Also, Senate bill No. 188, "An Act Granting Certain Real Estate to the City of Austin."

On motion of Senator Parsons, the regular order for 12 M. was postponed for fifteen minutes, and the Senate took a recess for that time.

12:15 P. M.

The hour having arrived, the Senate proceeded to consider Senate bill No. 94, "An Act to Expedite the Construction of the Southern Pacific Railroad."

Report of committee read.

Pending discussion, message received from the House by Chief Clerk, informing the Senate the House had passed Senate Bill No. 56, "An Act to prevent cessation of judicial functions, and avoid doubt of validity of judgments and other regular proceedings of the Supreme, Criminal and District judges and courts."

The question re-occurring upon Senate Bill No. 94, read second time and passed to engrossment.

Senator Pettit moved to adjourn. Lost.

Senator Parsons moved a suspension of the rules to place the bill on its third reading and final passage.

Yeas and nays called for :

Yeas—Alford, Baker, Bell, Bowers, Broughton, Cole, Dohoney, Douglas, Evans, Flanagan, Ford, Latimer, Mills, Parsons, Pettit, Pridgen, Pyle, Rawson, Ruby, Shannon—20.

Nays—Fountain, Gaines, Hall, Hertzberg, Priest, Saylor—6.

So the Senate refused to suspend the rules; four-fifths not voting in the affirmative.

Senator Priest moved to reconsider the vote just taken. Carried.

On motion of Senator Parsons the constitutional rule requiring bills to be read on three separate days, was suspended.

Bill read third time.

Yeas and nays called for on the final passage :

Yeas—Alford, Baker, Bell, Bowers, Broughton, Cole, Dohoney, Douglas, Evans, Flanagan, Fountain, Mills, Parsons, Pettit, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon—20.

Nays—Ford, Gaines, Hall, Hertzberg, Priest—5.

Bill passed.

On motion of Senator Alford, the Senate adjourned.